

REMARKS

The Office Action mailed March 3, 2005, has been received and reviewed. By the present Response, Claims 1, 15, 16, and 18-20 are amended, Claims 6-9 are canceled, and new Claims 21-24 are added. Currently pending in the application, then, are Claims 1-5 and 10-24, of which Claims 1, 15, and 19 are independent. No new matter has been introduced by this Response.

Claim Rejections Under 35 USC § 103

Claims 1-8, 10-11, 13, 15-16 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,510,863 to Kliewer. Claims 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kliewer in view of U.S. Patent NO. 5,567,907 to Westfall. And Claims 12, 14, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kliewer in view of U.S. Patent NO. 4,907,778 to Rockwell. Claims 6-9 are canceled. The rejections of the remaining claims are traversed.

Independent Claim 1 is amended to recite details of the unique camera-mounting assembly described and shown in paragraph 27 of the specification and Figures 7-10 of the drawings. In particular, Claim 1 is amended to define the camera-mounting assembly including a retaining strap and a plurality of openings in the platform, with the opening-to-strap ratio being greater than two-to-one. With this arrangement, the strap is positionable between various selected ones of the openings to non-simultaneously mount different-sized cameras to the platform. Regardless of which of the openings are occupied by the strap for mounting a particular-sized camera, there are always unoccupied openings when the stand is in use.

On the other hand, Westfall (which the Examiner cited in rejecting Claims 9 and 17 directed to this feature) discloses slots and bands in only a two-to-one ratio, which limits the positioning options of the bands. The only real mounting flexibility in Westfall comes from the elasticity of the bands themselves. While the bands could be

crisscrossed, in such an arrangement they would not function to hold the fireworks device in place. Nowhere in Westfall or Kliewer is there disclosed the recited camera-mounting assembly of amended Claim 1. For these reasons, Claim 1 as amended is now believed to be in condition for allowance.

Original Claims 2-5 and 10-14 and new Claims 21 and 22 are dependent from amended Claim 1, so they too are now believed to be in condition for allowance.

In addition, new Claim 21 further defines the camera-mounting assembly having an L-shaped profile and configured so that the strap is positionable at various vertical positions to provide camera-mounting flexibility. In the Westfall device the bands can only be positioned in the same horizontal plane as the horizontal support platform. For this additional reason, Claim 21 is in condition for allowance.

Furthermore, Claims 10-12 and new Claim 22 define the structure permitting the stand to be assembled for use and then disassembled into a very compact arrangement for storage and transport. Details of these features are discussed herein with respect to independent Claims 15 and 19 and their dependent claims. These features are not disclosed in Westfall or Kliewer, providing a further reason that these claims are in condition for allowance.

Independent Claims 15 and 19 are amended to more clearly describe how the unique structural elements originally included in the claims function to produce to the novel feature of collapsing the stand into a more compact configuration for storage and shipment. The amendments are believed to provide clarity without narrowing the claim scope. In addition, Claim 15 is amended to cancel elements that have been reintroduced in new Claims 23 and 24.

In particular, amended Claims 15 and 19 recite details of the use position with the stand configured for use as shown in Figures 1 and 2 and the storage position with the stand configured for storage and shipment as shown in Figures 5 and 6. To rearrange the stand from its use position to its storage position, the upper and lower sections of the stand are separated (see Figures 3 and 4) and then inverted, and the lower shaft is

inserted through the platform shaft opening and into the hollow upper shaft. In this configuration, the platform and the anchor are adjacent each other, which makes for a much more compact unit.

None of the cited references disclose structure that permits rearranging the stand to the claimed storage position. The Examiner states in the Office Action (in the second full paragraph on page 3) that “[i]t would have been obvious for one of ordinary skill in the art at the time the invention was made to have used the opening [of Kliewer] for storing the lower shaft to provide convenience for transporting the stand to a different location.” But in Kliewer the lower shaft is not inverted from its position when in use, so the anchor and platform are not adjacent each other and the telescopic shaft remains between them. For these reasons, Claims 15 and 19 as amended are believed to be in condition for allowance.

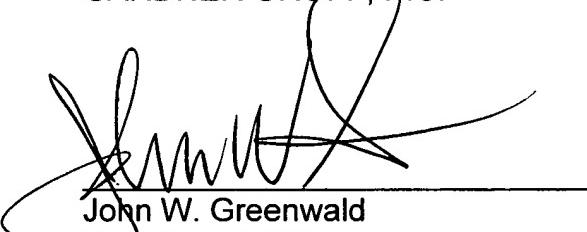
Original Claims 16-18 and 20 and new Claims 23 and 24 are dependent from amended Claims 15 and 19, respectively, so they too are now believed to be in condition for allowance.

In addition, Claim 18 is amended to clarify details of the compact storage position. In particular, even in embodiments in which the stand includes the foot assist members, the overall dimensions of the stand (upper and lower sections) in the storage position are about the same as those of the just upper section. None of the cited references disclose any structure related to this feature, and for this additional reason, Claim 18 is in condition for allowance.

CONCLUSION

In view of the amendments submitted herein and the above comments, it is believed that all grounds of rejection are overcome and that the application has now been placed in full condition for allowance. Accordingly, the Applicant requests early and favorable action. Should there be any further questions, the Examiner is urged to telephone the Applicant's undersigned attorney at (770) 984-2300.

Respectfully submitted,
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